

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAMIAN SCHWARTZMAN, in his capacity as :	:	
Receiver for the Receivership Estate established :	:	CIVIL ACTION
by the Order entered September 13, 2010 in :	:	
<i>SEC v. Robert Stinson, Jr., et al.</i>, Civil Action :	:	
No. 10-03130 :	:	
Plaintiff,	:	
	:	
v.	:	
	:	
SIERRA CAPITAL RESOURCES, LLC, and :	:	
MICHAEL P. MCNAMARA, :	:	No. 11-7395
Defendants.	:	

ORDER

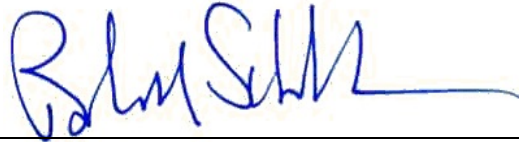
AND NOW, this **31st** day of **October, 2012**, upon consideration of Plaintiff's Motion for Summary Judgment with accompanying Statement of Undisputed Material Facts and Memorandum of Law, and for the reasons provided in this Court's Memorandum dated October 31, 2012, it is hereby **ORDERED** that:

1. The motion (Document No. 7) is **GRANTED**.
2. Judgment is entered in Plaintiff's favor against Defendants Michael McNamara and Sierra Capital Resources, LLC in the amount of \$260,135.00, plus pre- and post-judgment interest at the applicable legal rate, and court costs.
3. The corporate form of Sierra Capital Resources, LLC is set aside, and Defendant McNamara is personally liable to Plaintiff for the full judgment in the amount of \$260,135.00, plus pre- and post-judgment interest at the applicable legal rate, and court costs.
4. A constructive trust is hereby imposed on Defendants McNamara and Sierra Resources, LLC's assets in the amount of \$260,135.00, and Defendants are enjoined from transferring or disposing of any assets pursuant to the Pennsylvania

Uniform Fraudulent Transfer Act, 12 Pa. Cons. Stat. § 5107.

5. The Clerk of Court is directed to close this case.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Berle M. Schiller", written over a horizontal line.

Berle M. Schiller, J.